

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	
Lebel <i>et al.</i>	Art Unit of parent application: 1638
Appl. No. TBA (division of 09/254,780)	Examiner of parent application: A. Kubilik
Filed: Concurrently herewith	Atty Docket: S-21043B
For: Transgenic Plants Expressing Cellulolytic Enzymes	

**PRELIMINARY AMENDMENT**

BOX: PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please enter the following amendments prior to the examination of this application.

**IN THE CLAIMS:**

Please delete claims 1-5, without prejudice.

**REMARKS**

Upon entry of this amendment, claims 6-10 are pending. Claims 1-5 have been cancelled without prejudice. Claims 6-10 were the non-elected claims of Group II in the parent application serial no. 09/254,780. The present divisional application is being filed to pursue non-elected claims.

It is believed that no Extension of Time is required. However, if it is deemed that any other fees are necessary to maintain pendency of this application, then the Office is hereby authorized to charge Deposit Account No. 50-1744 (in the name of Syngenta ) for payment of such fees.

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Respectfully submitted,  
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